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rkd 11.06.2026
Ct.05

W.P.A. 11854 of 2026

Arup Kumar Das

-vs-

The State of West Bengal & Ors.

Mr. Sabyasachi Mukherjee,
Mr. Mukhesh Khanna,
Mr. Mrinmay Nandy,
Ms. Debjani Chakraborty,
Mr. Ranabeer Halder

....for the petitioner.

Mr. Suryaneel Das,
Ms. Suchitra Sinha Chatterjee
Ms. Sumita Sarkar

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner expresses dissatisfaction in investigating the criminal prosecution being Rabindra Sarobar Police Station Case No.56/26 dated 4th May, 2026 under Sections 118(1)/3(5)/331 of BNS, 2023.
3. It is submitted that investigating agency was required to recover iron rod with which petitioner was physically assaulted. Prayer is made in this writ petition thereby giving direction upon the concerned police authority to take necessary steps in connection with the investigation of aforesaid criminal prosecution.
4. Mr. Das, learned Additional Government Pleader represents State respondents who has filed a

communication dated 11th June, 2026 of Officer-in-Charge, Rabindra Sarobar Police Station and same is taken on record. Copy of the said communication dated 11th June, 2026 is made over to the learned advocate representing the petitioner.

5. It is disclosed in the communication that after registering FIR investigation into the allegation made by the petitioner commenced and efforts were made to recover iron rod which was used in commission of offence. However, same could not be seized.
6. It is also disclosed in the communication dated 11th June, 2026 that accused person complied with notices under Section 35(3) of BNSS, 2023 and they were granted bail on 8th May, 2026.
7. In Rabindra Sarobar Police Station Case No.56/26 dated 4th May, 2026 at this stage no further order need be passed.
8. However, investigating agency is directed to expedite the investigation and bring the same to its logical conclusion and file a report before the jurisdictional Magistrate.
9. Effort shall also be made to recover iron rod since it was alleged by the defacto-complaint that using iron rod alleged offence was committed.
10. Writ petition stands disposed of.
11. However, this order shall not preclude the

petitioner to approach the jurisdictional Magistrate under Section 193(9) of BNSS, 2023 after filing of report.

12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)